



## **TOWN OF WEARE**

PLANNING BOARD  
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### **PLANING BOARD MINUTES**

**November 11, 2010**

**(\*\*FINAL COPY\*\*)**

**PRESENT:** Chairman Craig Francisco; Frank Bolton, Vice Chairman; Neal Kurk, Secretary, George Malette, Dani-Jean Stuart, Sheila Savaria, Recording Secretary

**GUESTS:** Frank Campana, Burt Brown, Deborah Brown, Heather Aleksonis

#### **I. CALL TO ORDER:**

Chairman Craig Francisco called the meeting to order at 7:00 PM at the Weare Town Office Building. This meeting is a work session to discuss changes to the sign ordinance. Dani-Jean Stuart was appointed as a voting member.

#### **II. OTHER BUSINESS:**

Discussion of Proposed Changes to Sign Ordinance: Over the years, the Town has dealt with many signs, and it became apparent to the board that the current ordinance is too restrictive. The overall objective of the new sign ordinance is to reduce the restrictions on business signs in a variety of ways. The major recommended changes are briefly described below.

##### 34.0 SIGN ORDINANCE

34.2 The definition now applies to all signs instead of strictly business signs. It also defines what a sign does not include, such as circa plaques, name plates, land postings, and similar postings that are customarily associated with residential and agricultural use. A temporary sign is defined as a sign that is displayed for 16 or fewer days in a 60 day period.

##### 34.4 ILLUMINATION STANDARDS

34.4.1 - Currently, signs have to be lit from above and light was not allowed to escape the fixture. The changes include allowing the sign to be lit from above or below, assuming the light source isn't visible from the residential dwelling or any roadway. The board agreed that this ordinance be brought back to the original wording.

34.4.3 - Says you can put lighting displays on signs from seven days before Thanksgiving until January 10<sup>th</sup> only.

##### 34.5 LOCATION

The side setback requirements were added so people do not have to refer back to other zoning districts to determine what they are.

##### 34.7 REPLACEMENT SIGNS

This regulationss says that if a sign is being substantially altered physically, then the new sign has to meet the requirements of the new ordinance. This ordinance does not apply if the wording is being changed, but only if you are replacing the sign. If a sign is being replaced or substantially altered physically due to an act of god or an accident, then the same type of sign could be put up that existed. Deborah Brown feels that older signs are

protected forever because they are grandfathered, and those who have been in business for many years should be respected. Neal Kurk explains that existing signs are grandfathered for as long as they exist. If an existing sign is newly painted in different colors, that would be okay, but if the plywood it's made out of is taken down and replaced, it needs to conform. George Malette mentioned that in zoning law, the board is supposed to make every effort to bring all existing uses to conformity as completely and rapidly as possible. The Board agreed to consult the Town's Attorney about this regulation, and specifically the definition of 'substantial'.

#### 34.9 PROHIBITED SIGNS

34.9.1 - This change is to clarify the point that signs unrelated to an activity conducted on the premises where the sign is located are not allowed. Promoting community activities is allowed, but promoting other businesses is not. Ms. Brown feels people should be able to promote businesses to help preserve and promote the rural character of the town, and this regulation is too restrictive. Mr. Malette responded by saying businesses are allowed to promote anything they want inside their businesses, but outside their businesses the signs must conform.

34.9.2 - Defines what a farmer's porch is and talks about the signs allowed on them. The restriction would be that the sign has to be within 2 feet of the roof eave, and the top of the sign can not be more than a foot and a half above the roof. This was added because the current ordinance prevents signs from being allowed on roofs, and allowing a smaller sign on a farmer's porch would help keep the rural character of the town. The Board discussed possibly adding a height restriction so the sign can't be placed too high off the ground.

34.9.6 - This change includes portable signs as prohibited. Ms. Brown feels message boards should not be prohibited and each business should be considered as individual situations. Mr. Malette feels there should be a definition for a temporary sign that *only* details size, and it should be allowed every day, all day. Mr. Kurk feels that message board signage is inappropriate for the town of Weare. The Board will discuss this issue further next year.

34.9.8 - This regulation bans citizens from putting signs on property at Center Woods Elementary School, Weare Middle School, Stone Memorial Building, the town gazebo, town hall, and the town office building. For example, the library would be allowed to post a sign on their property, but a citizen would not. Instead of listing the locations individually, the language will be changed to read school or town-owned property.

#### 34.10 DISTRICT REGULATIONS

##### 34.10.1 R AND RA DISTRICTS

34.10.1.2 & 34.10.1.3 - This allows one sign, totaling 6 square feet. If the sign is free standing, the height shall not exceed 5 feet from the ground level to the top of the sign. If granted a special exception, the sign shall not contain more than 2 surfaces, totaling 16 square feet. A free-standing sign shall not exceed 6 feet from the ground level to the top of the sign. Ms. Brown asked what would be allowed if there was more than one business in a home office? Mr. Kurk suggested one sign for each independently-owned business. Chairman Francisco suggested adding one sign per business, with a limit of 2 signs per lot. Mr. Malette reminds the Board to not only think about a sign as being 2-sided, and that the equivalent of two 1-sided signs should be allowed as an alternative. In addition, Mr. Malette feels 6 square feet is too small for the rural agricultural zone, and 12 square feet would be more appropriate because the Board is trying to promote agriculture, and a 6 square foot sign is too small to do that. Frank Bolton says that if the business is substantial and requires a site plan review, the signage should be part of the discussion, and perhaps they should be allowed additional signage. Mr. Kurk suggests the following language: 'Those uses which are granted a special exception by the ZBA, or which are listed in 17.2.1, 17.2.2, 17.3.1, 17.3.2, & 17.3.4., may have a sign to contain no more than 2 surfaces, each surface to contain no more than 16 square feet. Provided that where appropriate, and with the approval of the Planning Board, 2 signs, each to contain 1 surface not to exceed 16 square feet'. This would mean that many of the permitted signs that are permitted to 6 square feet would be allowed to go to 16 square feet. The special exception cases would also be allowed those signs. This language would decrease the number of businesses that get a larger sign, and decreasing the sign size for some of the special exception businesses.

34.10.2 VILLAGE DISTRICT

Currently there can be two signs. The proposal is designed to deal with multiple businesses on one lot.

34.10.2.2 - It says there should be one sign allowed, instead of two, for a lot with one business.

34.10.2.3 - In cases where there are 2 or more businesses on a lot, one free-standing sign, to identify the lot and each business, shall be allowed. This sign is not to exceed 20 square feet, or be more than 2 surfaces. Nor should it exceed 7 feet in height from the ground level to the top of the sign. In addition, each independent business will be allowed one 1-sided sign not to exceed 12 square feet to be attached to the building. Ms. Brown requested that language be added about to farmer's porches, and the word building be changed to wall in regards to where the additional sign can be attached.

34.10.3 COMMERCIAL DISTRICT

34.10.3.2 This allows one sign with 32 square feet allowed on each of 2 surfaces for a lot with one business. For a lot with 2 ore more independent businesses on the lot, each business will be allowed an additional 16 square foot sign. Language about farmers porches will be added to this, as well as changing 'building' to 'wall' in regards to what the additional sign can be attached to.

34.10.3 INDUSTRIAL DISTRICT

34.10.4.2 - This allows one sign with 48 square feet allowed on each of 2 surfaces for a lot with one business. For a lot with 2 or more independent businesses on the lot, each business will be allowed an additional 20 square foot sign. Language about farmers porches will be added to this, as well as changing 'building' to 'wall' in regards to what the additional sign can be attached to. George Malette recommended changing this back to 100 sq. feet; the board agreed.

34.10.5 CLINTON GROVE HISTORICAL OVERLAY DISTRICT

There is no change to this section except in 34.10.5.3, which is clarifying that nameplates, warnings, land postings and similar displays not exceed 2 feet. It was previously not clear that these were signs.

34.10.6 WEARE CENTER VILLAGE DISTRICT

This section was deleted in its entirety because the proposed changes will make the signs consistent with all other districts.

Neal Kurk will make the changes discussed in tonight's meeting and send them to the Board in the next couple days.

**III. ADJOURNMENT:**

As there was no further business to come before the board, Dani-Jean Stuart moved to adjourn at 11:00 PM; Neal Kurk seconded the motion, all voted in favor.

Respectfully submitted,

Sheila Savaria  
Recording Secretary